

Remarks

Reconsideration of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

This Amendment has been made to put this application in condition for immediate allowance. No new issues have been raised in this Amendment which would require a further search. Entry of this Amendment is respectfully requested.

Authorization is hereby given to charge any deficiency in fees in connection with this Amendment to our Deposit Account No. 11-0600.

The specification has been amended to include Cross References to Related Applications including the priority application and to claim common ownership of Heikkila et al. U.S. Patent No. 5,081,026 issued January 14, 1992, from U.S. serial no. 611,383 filed November 2, 1990 as provided under 35 USC §102 (e) and 35 USC §103(c).

Claims 1, 3, 5-9, 11-13, 15, 16, 19-21, 23-34 were pending prior to this Amendment.

Claims 32-34 were withdrawn from consideration.

The matters objected to in claims 1, 3, 5-9, 11-13, 15, 16, 19-21, and 23-31 have been corrected or cancelled as per the Primary Examiner's requests in order to make the claims more definite and clear and better comply with the first and second paragraphs of 35 USC 112. The applicants thank the Primary Examiner for his suggestions and for pointing out typographical errors so that they can be corrected. The errors were made through inadvertence and mistake without intent to deceive.

Claims 1, 8, 13, 19, 23, and 31 have been amended to more particularly point out and distinguish applicants' invention over the cited references and to overcome the Primary Examiner's objections.

Claims 1, 3, 5-9, 11-13, 15, 16, 19-21, and 23-31 are presently pending for the consideration of the Primary Examiner.

It is respectfully submitted that since the present application claims common ownership with Heikkila et al. U.S. Patent No. 5,081,026 under 35 USC §102 (e) and 35 USC §103(c) and is a CPA, RCE or a continuation of the priority application, Heikkila

et al U.S. Patent No. 5,081,026 can no longer provide a basis of rejection under 35 U.S.C §103(a) as the primary reference. Moreover, the subject patent application has a priority date based upon Finnish patent application no. 900220 filed January 15, 1990 which precedes the issue and filing date of Heikkila et al. U.S. Patent No. 5,081,026. Furthermore, it is respectfully submitted that Heikkila et al. U.S. Patent No. 5,081,026 cannot be a proper basis for rejection under the judicially created doctrine of obviousness-type double patenting in view of the above-stated reasons for the 35 U.S.C. §103 rejection. Also, the present claims of the subject application are now of a different scope than the claims of Heikkila et al. U.S. Patent No. 5,081,026.

Upon the filing of a CPA of the present application and the fact that the present application and Heikkila et al. U.S. Patent No. 5,081,026 are commonly owned, Heikkila et al. U.S. Patent No. 5,081,026 is not prior art for obviousness purposes. With the removal of Heikkila et al. U.S. Patent No. 5,081,026 as a primary reference, Chahal U.S. Patent No. 5,047,332 alone does not teach or suggest the invention as recited in applicants' amended claims.

In summary, applicants' claims have been amended to better comply with 35 U.S.C. §112. Applicants' remaining claims provides very useful and beneficial methods which are not fairly taught or suggested by the references of record.

In view of the preceding, it is respectfully submitted that the subject application is now in condition for allowance. A Notice of Allowance is earnestly solicited. If Primary Examiner has any questions or wishes to discuss this matter further, he is kindly asked to call the undersigned attorney.

Respectfully submitted,

6-10-03



Donna M. Praiss
Registration No. 34,232
Attorney For Applicants

Kenyon & Kenyon
One Broadway
New York, NY 10004
Phone: (212) 425-7200
Facsimile: (212) 425-5288